

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:23-MJ-429

DANIEL LOYOLA-SORIA (01)

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn state the following is true and correct to the best of my knowledge and belief:

Alleged Offense:

On or about May 16, 2023, in the Northern District of Texas, defendant **Daniel Loyola-Soria**, an alien, was found in the United States having previously been deported and removed from the United States on or about December 01, 2017, and he had not received the consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, to reapply for admission to the United States, in violation of 8 U.S.C. § 1326(a) and (b)(2).

Probable Cause:

I, Eugenio Vela, being duly sworn, depose and swear the following information is true and correct to the best of my ability. I am a Deportation/Task Force Officer (DO/TFO) with the Department of Homeland Security, Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI), currently assigned to the HSI Dallas Gangs & Violent Crimes – Fort Worth Task Force, with over 15 years' experience, duly appointed according to law and acting as such.

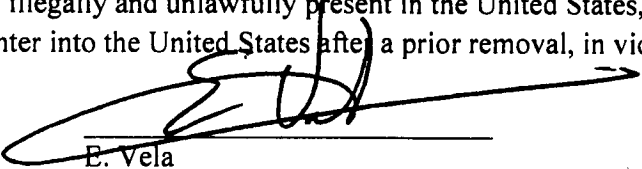
1. This affidavit is made in support of a criminal complaint in the case of the United States v. **Daniel Loyola-Soria**. The affiant has probable cause to believe that the defendant, **Daniel Loyola-Soria**, is a previously deported alien, who unlawfully returned to the United States in violation of 8 U.S.C. § 1326(a) and (b)(2). **Loyola** is an alien previously encountered by the DHS and/or legacy INS. DHS therefore maintains an "Alien File" or "A-file" for **Loyola** that contains government records and documentary evidence related to his citizenship, nationality, alienage, immigration history, and any immigration

applications submitted by him or on his behalf. The statements in this affidavit are based on my personal knowledge and experience, investigation of the facts, review of documents contained in the A-file assigned to the defendant, information contained in DHS and law enforcement electronic databases, and information provided to me by witnesses or other law enforcement officers. Because this affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth those facts that I believe are necessary to establish probable cause of a violation of a federal criminal offense, specifically, 8 U.S.C. § 1326 (a) and (b)(2), Illegal Reentry After Deportation.

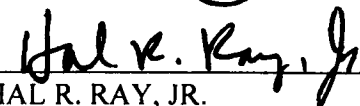
2. **Loyola** is a citizen and national of Mexico, born in in Ciudad Acuna, Coahuila, Mexico. **Loyola** is not a citizen or national of the United States and does not have legal immigration status in the United States.
3. On or about March 29, 2013, in the U.S. District Court for the Northern District of Texas, Fort Worth Division, **Loyola** was convicted of Conspiracy to Possess with Intent to Distribute a Controlled Substance, in violation of 21 U.S.C. § 846, and sentenced to 50 months' imprisonment (later reduced to 41 months).
4. On or about January 7, 2016, **Loyola** was ordered removed by an Immigration Judge in Oakdale, Louisiana. He was first removed from the United States to Mexico pursuant to that order of removal on January 21, 2016.
5. On or about November 9, 2016, in the U.S. District Court for the Western District of Texas, **Loyola** was convicted of Illegal Reentry After Depuration, in violation of 8 U.S.C. § 1326(a) and (b)(1)/(2), and sentenced to 24 months' imprisonment, after being found back in the United States.
6. On or about December 01, 2017, **Loyola** was again removed from the United States to Mexico through Hidalgo, Texas.
7. In and about February of 2023, ICE officials received information that **Loyola** might be back in the United States. ICE officials reviewed the Johnson County Jail visitor log and visitor contact list for Daniel Loyola, Jr., son of **Loyola**, who is currently being held at Johnson County Jail on federal firearm charges.
8. On February 27, 2023, a public record query of the residence address located at 4321 Odessa Avenue, Fort Worth, Texas, 76133, returned to **Loyola's** wife as the occupants of the residence.

9. On or about April 24, 2023, ICE Agents Vela & Bilbo, while conducting surveillance on social media, came across a Facebook account with the name "Daniel Loyola". The user from the account "Daniel Loyola" was posting several videos and pictures of his person. The user of the same account posted several pictures of himself preaching at a location in Fort Worth, Texas, and sitting at a burial site on April 23, 2023. On April 24, 2023, I positively identified **Loyola** based on the social media photos and in comparison to previous jail booking photographs associated with his prior immigration encounters.
10. On May 16, 2023, ICE Agent Bilbo was conduct conducting surveillance at 4321 Odessa Avenue, Fort Worth, Texas, believed to be the residence of **Loyola** and his wife. At approximately 7:55 am, ICE Agent Bilbo observed **Loyola** get into a dark blue 2001 Chevrolet Silverado work truck bearing TX License plate SDC 5321 parked at the residence. A system record query of Texas license plate SDC 5321 identified the Chevrolet Truck as registered to **Loyola's** wife. Agent Bilbo was able to positively identify **Loyola** based on the social media photos and in comparison to previous jail booking photographs associated with his prior immigration encounters.
11. On May 16, 2023, at approximately 8:05 am, ICE Agent Bilbo conducted surveillance by following **Loyola** to a residence located on McCart Avenue in Fort Worth, Texas and picking up an unidentified adult Hispanic male.
12. A review of automated immigration systems did not indicate that **Loyola** ever applied for or received permission from the United States Attorney General or the Secretary of the Department of the Homeland Security to reenter the United States at any time after being removed from the United States. Moreover, there is no indication that **Loyola** applied for or received a visa or permit or was paroled to enter the United States lawfully after his last removal from the United States.

Based upon the above facts and circumstances, I believe there is probable cause to believe that **Daniel Loyola-Soria**, an alien illegally and unlawfully present in the United States, did knowingly and unlawfully reenter into the United States after a prior removal, in violation of 8 U.S.C. § 1326(a) and (b)(2).


E. Vela
Deportation/Task Force Officer
Homeland Security Investigations

SWORN AND SUBSCRIBED before me, at 1:36 am 22nd day of May 2023, in Fort Worth, Texas.


HAL R. RAY, JR.
UNITED STATES MAGISTRATE JUDGE